

JAN 24 2019

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# A BILL FOR AN ACT

RELATING TO ELECTRIC GRID RESILIENCY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that in September 2017,  
2   Hurricanes Irma and Maria struck Puerto Rico with devastating  
3   force and caused an estimated \$102,000,000,000 in damages to the  
4   island, including extensive damage to the island's electrical  
5   infrastructure. Some residents in Puerto Rico were left without  
6   power for eleven months. The prolonged lack of electrical power  
7   left the residents of Puerto Rico without essential services and  
8   created a humanitarian crisis. Hawaii is over one thousand five  
9   hundred miles further from the mainland United States than  
10   Puerto Rico and the distance to additional resources could  
11   prolong the recovery process for Hawaii.

12           The legislature also finds that the interdependencies  
13   between different critical infrastructure sectors, including  
14   energy, water, transportation, and communications, have further  
15   complicated restoration efforts in Puerto Rico, underscoring the  
16   need for systemic resiliency planning.



1           The legislature further finds that a direct hit on Oahu  
2 from a similar category five hurricane would almost certainly  
3 cause extensive property damage and extended power outages  
4 across the island. Moreover, much of the State's energy-  
5 generating infrastructure is susceptible to storm surges due to  
6 the structures being located at or near coastlines. The Hawaii  
7 emergency management agency estimates that under a best-case  
8 scenario it would take at least fourteen days after landfall of  
9 a category four hurricane on Oahu to restore eighty per cent of  
10 grid power. Most public emergency shelters in the State do not  
11 have the capacity to provide two weeks of electrical service and  
12 relief from the mainland is dependent upon a functioning airport  
13 and seaport.

14           The legislature additionally finds that the risks of a  
15 natural disaster increase with the impacts of climate change.  
16 Scientists have described 2017 and 2018 as some of the most  
17 weather destructive years on record and opined that the number  
18 of extreme weather events will continue to increase. The  
19 legislature hereby declares that it shall be the policy of the  
20 State to ensure that the State is prepared to withstand natural  
21 disasters and other emergencies and protect the State's critical



1 infrastructure and its citizens by making investments in grid  
2 resiliency. The goals of this policy are to:

- 3 (1) Prevent or reduce the severity of damage to the  
4 electric grid due to a natural disaster or state of  
5 emergency;
- 6 (2) Enable faster recovery of normal grid operations after  
7 a grid outage due to a natural disaster or state of  
8 emergency; and
- 9 (3) Maintain critical loads at critical infrastructure,  
10 such as hospitals, fire stations, police stations,  
11 airports, and seaports during a grid outage due to a  
12 natural disaster or state of emergency.

13 The purpose of this Act is to create a homeland security  
14 and resiliency council to identify electric grid and other  
15 critical infrastructure needs and provide recommendations for  
16 enhancing grid and critical infrastructure resiliency throughout  
17 the State.

18 SECTION 2. Chapter 128A, Hawaii Revised Statutes, is  
19 amended by adding a new section to be appropriately designated  
20 and to read as follows:



1           "§128A- Homeland security and resiliency council;  
2 membership; duties. (a) There is established a homeland  
3 security and resiliency council, which shall be placed within  
4 the office of homeland security for administrative purposes.

5           (b) The council shall comprise the following members or  
6 their designees:

7           (1) The director of homeland security, who shall serve as  
8           the co-chair of the council;

9           (2) The director of the office of planning, who shall  
10           serve as co-chair of the council;

11           (3) The administrator of the Hawaii emergency management  
12           agency;

13           (4) The director of transportation;

14           (5) The executive officer of the public utilities  
15           commission;

16           (6) The administrative head of each county agency  
17           responsible for emergency management matters; and

18           (7) The administrative head of each county water supply  
19           agency.



1        (c) The president of the senate and the speaker of the  
2 house of representatives shall jointly invite the following to  
3 serve as members of the council:

4        (1) Representatives of each electric utility company  
5 operating in Hawaii;

6        (2) Representatives of each telecommunications company  
7 serving at least one hundred thousand customers in  
8 Hawaii;

9        (3) Representatives of each fuel importer and fuel refiner  
10 operating in Hawaii; and

11        (4) A representative of the regulated interisland water  
12 carrier serving all islands.

13        (d) In addition to the members listed in subsections (b)  
14 and (c), the co-chairs of the council may request the  
15 participation or input of members of the public; experts in the  
16 field; county, state, or federal officials; or others as  
17 necessary.

18        (e) Members of the council shall serve without  
19 compensation, but shall be reimbursed for necessary expenses  
20 incurred in the performance of their duties.

21        (f) The council shall:



1       (1) Establish strategies, goals, priorities, and  
2       recommendations to enhance the security and resiliency  
3       of the electric grid and other critical infrastructure  
4       sectors in the State, and give appropriate  
5       consideration to interdependencies between the sectors  
6       and to differing needs of communities based on  
7       location, access to resources, and vulnerabilities;  
8       and

9       (2) Assess the capacity and availability of existing  
10       resources and identify new sources of revenue  
11       necessary to enhance resiliency of critical  
12       infrastructure sectors.

13       (g) The council shall submit a report summarizing its  
14       findings, recommendations, and the status of actions to enhance  
15       electric grid and other critical infrastructure sector security  
16       and resiliency to the governor, legislature, and mayor and  
17       county council of each county no later than twenty days prior to  
18       the convening of the regular session of 2021, and every two  
19       years thereafter.

20       (h) In carrying out its duties, the council, to the extent  
21       permitted by law, shall take appropriate measures to protect



1 from public release any confidential or sensitive information if  
2 the release of that information could expose critical  
3 infrastructure to attack or damage.

4 (i) Nothing in this section shall be deemed to delegate or  
5 detract in any way from the functions, powers, and duties  
6 conferred by law or ordinance on any state or county department  
7 or agency."

8 SECTION 3. Section 128A-2, Hawaii Revised Statutes, is  
9 amended by adding three new definitions to be appropriately  
10 inserted and to read as follows:

11 "Critical infrastructure sector" means a sector whose  
12 assets, systems, and networks, whether physical or virtual, are  
13 vital to the State's security, economic security, public health  
14 or safety, or any combination thereof, including but not limited  
15 to the water, transportation, electrical energy, fuel import and  
16 refining, and communications sectors.

17 "Electric grid" means the network of electric generators,  
18 transmission and distribution lines, substations, energy storage  
19 devices, and supporting infrastructure used to produce and  
20 deliver electricity to end-users.



1       "Resiliency" means the capacity to prevent or reduce the  
2 severity of damage from natural disaster or manmade emergencies,  
3 and to enable faster recovery of normal infrastructure  
4 operations after a natural disaster or manmade emergency."

5       SECTION 4. There is appropriated out of the general  
6 revenues of the State of Hawaii the sum of \$                    or so  
7 much thereof as may be necessary for fiscal year 2019-2020 and  
8 the same sum or so much thereof as may be necessary for fiscal  
9 year 2020-2021 for the homeland security and resiliency council  
10 to perform its duties under chapter 128A, Hawaii Revised  
11 Statutes.

12       The sums appropriated shall be expended by the office of  
13 homeland security for the purposes of this Act.

14       SECTION 5. New statutory material is underscored.

15       SECTION 6. This Act shall take effect upon its approval;  
16 provided that section 4 shall take effect on July 1, 2019.

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INTRODUCED BY:





# S.B. NO. 1159

**Report Title:**

Homeland Security and Resiliency Council; Appropriation

**Description:**

Establishes the homeland security and resiliency council to assess the resilience of the State's electric grid and other critical infrastructure to natural disasters and other emergencies and make recommendations. Requires the council to report to the legislature. Appropriates funds.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

